

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONNIE PHILLIPS,

Plaintiff,

No. CIV S-02-1296 GEB JFM P

vs.

CHERYL K. PLILER, et al.,

Defendants.

ORDER

_____/

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 14, 2002. Plaintiff has filed objections to this court's August 22, 2008 order. That order was issued in response to plaintiff's request for clarification of the status of payment of filing fees for this action. In the order, the court informed plaintiff that he had been assessed \$150.00 for the filing fee for this action and \$405.00 for the filing fee for the appeal plaintiff took from the judgment entered herein. Plaintiff was also informed that a total of \$77.51 had been paid toward those filing fees, leaving a balance owed of \$527.49.

Plaintiff's appeal was dismissed for failure to prosecute. After further review of the record, it appears that prison officials have not been authorized or directed to deduct funds from plaintiff's inmate trust account toward payment of the appellate filing fee. The balance on

////

1 plaintiff's account has been adjusted accordingly by removing the \$405.00 for the appellate filing
2 fee. Plaintiff's total balance remaining is \$72.49.

3 IT IS SO ORDERED.

4 DATED: October 14, 2008.

5
6 
7 UNITED STATES MAGISTRATE JUDGE

8 12
9 phil1296.o2